

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CONTOUR DATA SOLUTIONS LLC

Plaintiff,

v.

**GRIDFORCE ENERGY
MANAGEMENT LLC, *et al.***

Defendants.

CIVIL ACTION NO. 20-3241

ORDER

AND NOW, this 28th day of August 2024, upon consideration of the Motions for Summary Judgment and the responses and replies thereto, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** that:

1. The Motion for Summary Judgment of Plaintiff Contour Data Solutions, LLC [Doc. No. 335] is **DENIED** in its entirety.
 - a. Specifically, Contour's Motion for Summary Judgment on Counts I (breach of contract), IV (conversion), V (Computer Fraud and Abuse Act), VI (Stored Communications Act), and VII (Texas Harmful Access by a Computer Act) is **DENIED**. Contour's Motion for Summary Judgment is also **DENIED** as to Gridforce's counterclaim and Gridforce's affirmative defenses two through seven.
2. The Motion for Summary Judgment of Defendant Gridforce Energy Management LLC and NAES Corporation [Doc. No. 339] is **GRANTED** as follows:
 - a. Counts II (misappropriation of trade secrets), III (Defend Trade Secrets Act), IV (conversion), V (Computer Fraud and Abuse Act), VI (Stored Communications Act), and VII (Texas Harmful Access by a Computer Act) are **DISMISSED**.

- b. On Count I (breach of contract), damages are limited to those proven to have been incurred before August 2020.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.